

**Arizona Department of Education
Health & Nutrition Services
Family Child Care Homes Advisory Council
Tuesday – March 24, 2009
9:00 a.m. to 11:00 a.m.
MARCH MINUTES**

Kenny Barnes – Family Child Care Homes (FCCH) Advisory Council Committee Chair, called the meeting to order at 9:10 a.m.

Advisory Council Attendees:

Kenny Barnes	Arizona Department of Education
Deanna Barrowdale	Mid-State Child Care & Nutrition
Lori Mendoza	Association for Supportive Child Care
Phyllis Montgomery	Child & Adult Community Resources
Cathleen Moore	Food for Children

Not in Attendance:

Teresa McCormack	Arizona Department of Education
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Other Attendees:

Angela Hilton	Nutrition & Health Education Resources
Sandee Montez	Nutrition For Children, Inc.
Katie O'Neill	BJ Enterprises
Cathleen Reagan	Az Association of Family Day Care Providers
Bea Sandoval	Border Community Child Care Resource Center

Welcome and Introductions:

- Committee Chair welcomed Advisory Council and participating sponsoring organizations. Welcome, welcome and welcome, hope everybody has been doing good. Deanna is going to be late – she got caught up in traffic coming from Globe, so hopefully she'll be walking thru the door any minute. Good morning – It's good to see everybody. Let's go ahead and get started with the first item on the agenda.

Record Retention for Providers: (K. Barnes)

- This is a reiteration of what policy states and the only reason why I'm bringing it up is because it was brought up when I was out in DC for the conference about 2-3 weeks ago. Record Retention for providers – Providers are required to keep records on-hand inside their homes for a period of 3-years and no less than three years. It is in the Federal Regulations and like I said it's been there for awhile and the only reason why I'm repeating it again is because I guess there were some Auditors that went out and did some home audit visits and things like that and they found that a lot of Providers weren't maintaining their records for 3-years – so out of everything that they found, this was one of the biggest findings. So I'm just reminding you all and I know that a lot of times they might say they don't have had space in their homes or anything like that or they might submit their records to you and that's all they

have. It might be a good idea to tell your providers to make copies – but again; it's for no less the 3-years that the Provider has to maintain records in the home.

First Aid / CPR Certification: (K. Barnes)

- Deanna sent me an email asking me if ‘a Provider hasn’t received their First Aid/CPR Certification by the due date that we had established” – would the Provider be able to Claim? Depending upon what the circumstances are as to ‘why’ they don’t have their First Aid/CPR Certification. We will work with them. From the time that the Standards came out to the time of the deadline that was given – I think the Providers should have had more than enough time to go ahead and get that taken care of. So if it’s a matter of a Provider being sick for awhile or death in the family or something along those lines, we’ll work with them. If it’s just a matter of ‘will I schedule myself for one class, it got cancelled and I have to reschedule myself for another one – then, you know – we are not going to be as lenient in that instance as we would be with something else. So, I would just say, share this with your Providers and just ensure that they receive their certification – If they don’t, find out why and again let them know that it’s imperative for them to go ahead and get that taken care of ASAP.

Family Child Care Home Administrative Reviews: (K. Barnes)

- I know there has been a few Admin Reviews done so far this year – I just want to try and get some feedback on how you felt your Review went. Did you have any kind of problems with your Specialist? Any kind of questions that weren’t clear at the time or anything like that? Angela and Phyliss, you two have had yours, has anyone else in here had yours? (K. Barnes)
- As far as organization – I thought mine was really good this year. I would like to know in advance what you’d like to see. (A. Hilton?)
- Alright, you would like to have the Review Form or just the material we want to review in advance just so that you’ll know what to have out for us and everything. (K. Barnes)
- Yes, I would like to know what you are looking for so that the monitors know what to expect – especially if we have a new monitor that has never had an Administrative Review. (A. Hilton?)
- I thought ours was very well organized and everything was set up and normally it’s taken a week or more to do the auditing. (P. Montgomery)
- From the ‘findings’ that we found – Did you think there was anything that was kind of unreasonable, anything that you think that we shouldn’t have brought to your attention or something that we went over the top on or what? (K. Barnes)
- They never have a copy of that and it’s not required and so that was one of the CA’s that I have to respond to. Again, that’s not how – that’s never a problem for me. (A. Hilton)
- Just kind of reiterate the way we do things when we go out on home monitoring – I’m sure you all know all this to but just to clarify: (K. Barnes)
 - When we go out and do a home monitoring visit all we are supposed to do, if we go with a monitor is – just observe your monitor and observe what they do... and if they don’t miss anything for the most part the Specialist doesn’t have to say anything other than ‘Good morning, how are you doing?’ and ‘Thanks for your hospitality, have a good day.’ In the event that the monitor might miss something, let’s say she misses a butcher knife left on the counter or candle lit or some cleaning solution out. If we see that the monitor didn’t catch this, then we would bring this to their attention but other

- than that though, our role when we go out on a home visit again is to observe the monitor – that's it.
- So if you are saying that you feel that she didn't really observe or ask about your process then that is something that we can talk to her about and... it's a little thing but it's a big thing you know and I say it's a 'big thing' because first and foremost it's a concern of yours alright. Again – at one of our staff meetings we wanted to reiterate what our role is so that everyone is on the same page. (K. Barnes)
 - It wouldn't be a big thing either but when the provider is brought into it and like I said the forms that we use are completely different and so it just made the Provider call me.
 - That is usually part of the Provider file check that we'll do. (K. Barnes)
 - The home visits that I went on I thought they were for the most part pretty good other than a few things here and there that we discussed it was nothing that just made me say 'wow' – for the most part its things that are common. So from helping with yours and hearing about yours – you know, you're doing good. (K. Barnes)
 - A thing about the Providers that don't have all of their records – how I convey to the providers the importance and this is what I do – I have my annual training and monthly newsletter and the sponsors by agreement say they will do 'In and Out'. What else are you looking for from us?
 - Not seeing the letter and not seeing what was exactly written and not what his intent was when he wrote it – only thing I can say when you submit your CA is just say – just say what you just told me you are doing. We have our trainings and send out a newsletter. (K. Barnes)
 - There is always somebody whining why they didn't get reimbursed – obviously that is the #1 thing but ... some intervention(?) doesn't do it – do we drop them 'For Cause'. (C. Reagan)
 - No, like you said – you can't be in every Provider's house everyday alright. The only thing you can control is when you actually go out there for a monitoring visit and you see this is being done or it shouldn't be done or vice versa and take the appropriate action at that time. As far as, again how to reply to his letter – was he referring to anything in particular. (K. Barnes)
 - My one provider is the one that said she had all her records – you've all heard the stories. She was able to produce her menus and she wasn't able to produce her 'In-Out Sheets because they were at her son's or husband's or something like that. So I disallowed her – she was not allowed to claim for that whole time. Now when we go back and do a follow-up visit, but my thoughts are if you leave work is that efficient? (A. Hilton)
 - It's not required that you go out and do another immediate follow-up visit. (K. Barnes)
 - You said that in my letter and it goes back to her. (A. Hilton)
 - I think nothing you can do... it's just go ahead and let him know that you have processes in place – that's the only thing you can do. Without looking at the letter and the intent of what he wrote I can't really answer. (K. Barnes)
 - Additional comments from letter and noted that she cannot force Provider to do that. (A. Hilton)
 - Submit you're CA and I'm not trying to be sarcastic here but there is honestly nothing else that you can do okay. (K. Barnes)
 - How are you doing Deanna? A couple of things that we went over before you got here... we talked about 1) Record Retention for Providers and just kind of reiterated what Policy and Regulation as far as Providers are required to maintain records for no less than 3-years and I

just wanted to bring it up because it was mentioned at a conference that I recently attended in D.C. I guess the auditors went out and that was a big problem with this – so I’m just reiterating not that we have a problem with this here. 2) Your First Aid/CPR question, as I told the ladies – We’ll work with the Provider dependent on what the circumstances are as to why they haven’t gotten their First Aid/CPR certification. Again if it was circumstances having to do a death in the family and something that was out of their control where they weren’t able to go ahead and do that, again we will work with them. If it’s just a matter of ‘will I schedule myself for one class and I got to reschedule myself for another one – we are not going to be as lenient in that instance as we would be with something else. (K. Barnes)

- Now the deadline was February 28th is that right? (D. Barrowdale)
- I believe so yes. (K. Barnes)
- Not Certified – then I will check with them under which circumstances and submit a list to you and you can tell me yea or nay because there is quite a few – I’d say probably about 30% right now but haven’t submitted a quarterly back to October. (D. Barrowdale)
- And these are existing Providers? – Yes, just find out what their excuse is as to ‘why’ they don’t have it. (K. Barnes)
- Most of them have taken the class but haven’t received their card which is what we put in the books so that we have documentation of that – but some just... I don’t know if they are intent on doing it. (D. Barrowdale)
- Yes, if they have taken the class and just haven’t received their card then it’s just a matter of writing down the date that they attended class and that’s not a big deal. (K. Barnes)
- Then they wouldn’t be eligible to claim March 1st? Right – okay, but I will check with each one to get their information (D. Barrowdale)
- Yes, Okay cool and you all know what we’re talking about. (K. Barnes)
- It’s supposed to be current year reviews. (D. Barrowdale)
- Yes, because a couple of ladies in here have had their reviews and I was just trying to find out how their reviews went – Angela’s went good and Phyllis’ went good. Did they have any comments or anything regarding their reviews? (K. Barnes)

Advisory Council Chair requested Public Participation Request forms.

Public Participation and Closing Remarks:

- Does anybody have anything they’d like to shoot and bat about?
- There’s a lot of different States talk about just different things as far as how they do reviews, home visits and things like that and there was a lot of information sharing. The biggest thing again was probably the last day – where these Auditors talked about these home monitoring visits. (K. Barnes)
- No, nothing new popped up. There’s no new Policy on the horizon or anything like that that is going to change the way that we conduct business right now. We had a lot of speakers, the Secretary of Agriculture talked to us on Monday. His focus was telling us how the goal is to end child hunger by 2015 I believe and everybody was wearing buttons that said – “END HUNGER 2015”. There was a lot of information sharing from a lot of different States and a lot of reiterating what we already knew as far as different policies and things like that. Again, there was nothing new that was shared. Like I said there was no new regulations coming out or nothing that that’s going to change the way we do business. (K. Barnes)

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- You're not requiring anything these forms anymore? (Name?)
- Well, we just started doing this. (K. Barnes)
- If we did it last year then we don't do it for 2010? (D. Barrowdale)
- Yes, it had to be either at the start of fiscal year or shortly thereafter. (K. Barnes)
- Was it because of 'In and Out Sheets' is that why? (D. Barrowdale)
- Well – No, I mean we are trying to lessen the paperwork that you guys have to deal with you know, so it had to be at the start of fiscal year 2009 or shortly thereafter that we started this. (K. Barnes)
- If there is a change in hours then you do it but if there is no significant change then just a matter of initially and saying that it's been reviewed and initial and date. I'll try and find the meeting notes and forward them to you. (K. Barnes)
- The other one was income – is that going to be a Policy or is the Memo a policy now? And my other questions is that it states that it is 'not income' but later in the memo it states that 'it is income' because it's a compensation now. So my question is – Are we going to have to report these things to the IRS? I know that in Children's First instance they had the accountant there Saturday when she read this memo and she brought this up. She said if they are saying in verbiage that this is considered an income for this Provider than you are responsible to report Federal and State income tax. (D. Barrowdale)
- Okay, I'm not a tax man so I would contact an Accountant or IRS guy. Again, the long and short of it is this: I know Brad Willis is telling everybody that the whole compensation thing didn't pertain to DES when in fact it does. Lourdes Ochoa has talked to Brad and told him that not only does it pertain to DHS it pertains to DES and pertains to AA as well. And again, this is not new – but I'm thinking because DHS is saying one thing and Brad and DES was saying something else as far as whom it pertained to, it never really got implemented. So again, Brad has been talked to by Lourdes and he was told that you cannot tell individuals that it does not pertain to DES. (K. Barnes)
- Okay now, even in our local DES office they do not count – they are still allowed to do like we had on our enrollment forms they marked "not for compensation" be allowed on the meal program and they were still not considered compensation. We tell them you can have the poor children if you clear them on your menus then they are a compensation child. DES has a rule still so it's confusing for our Providers as well as what we are trying to convey to them. I mean, I know that ADE can't do anything about a DES office. I'm just saying that I think that that's also where some of the discrepancies are coming in and the confusion and the Providers are upset. (D. Barrowdale)
- Well the one thing that we can do is get with Brad and he can either send out a memo to all DES offices or he can go on a road trip and let them know... (K. Barnes)
- Well, I think it comes in where DES and my local DES office don't know the verbiage that this money is considered compensation now. All around its confusion for the Providers, DES offices and I know that our offices are supposed to be on the same page now – the sponsors are so I guess with that memo I just wasn't sure if it meant that it's something we have to follow now or if it was reiterating what had happened with DES and the State. (D. Barrowdale)
- I had a meeting with DES – I'm going to those DES Childcare Advisory Council meetings and I can talk to Brad or if I don't go Melissa can talk to him but it seems that it's just a

breakdown in communication from DES to the offices. And so that's what needs to be done so we can work on that to get that issue resolved. (K. Barnes)

- So on the State – the State isn't requiring that we send 1099's to these Providers since this money is income? (D. Barrowdale)
- You know... I can't put my foot in my mouth but again I don't know but I can find out. (K. Barnes)
- Would you find that out for us please? (P. Montgomery)
- Yes, and I can email it out to you before I get the minutes out and everything. (K. Barnes)
- Do you mind checking on....????
- They suspended the Rule Making Committee for right now – I know the last Rule Making meeting that I went to was last year. Well, that's as of now that is the rule that's in place and until told otherwise then it's something that everybody has to follow. (K. Barnes)
- Or they can have other children in their care right – they just can't claim them in their menus. (D. Barrowdale)
- Right. (K. Barnes)
- So if they have no children of their own they still care for them have In and Out sheets and Enrollment forms but not claim them on the menus. (D. Barrowdale)
- Why wouldn't they claim them on their menus – Why would they do all of that work? (All)
- That's what I understand and I'm saying that's what we told our Providers because we have a lot of grandparents who are afraid they would be in trouble if they didn't and because they can't keep up with their grandchildren on the menu but we told them they can still care for them. They were concerned that they would have to tell their grandchildren to go somewhere else. (D. Barrowdale)
- This would also raise the question – If you have 1 for compensation 2 others not for compensation and not claiming them on the Food Program. (C. Moore)
- If one child is left then you put another one on then it shouldn't disallow them. (K. Barnes)
- So that would be okay for that. (C. Moore)
- Yes. (K. Barnes)
- Various comments made by attendees regarding – If you're DES do this – DHS do this – and AA Homes do this.
- I've got it written down right here. (K. Barnes)
- In reference to comment from attendees...
- That wouldn't be any different than if you had a neighborhood kid over playing – you're supposed to collect an enrollment form for that child so that they can count for that child. (D. Barrowdale)
- If they choose to claim him – I was under the assumption that you're supposed to have an enrollment form for any children that are in your presence while you are conducting daycare. (D. Barrowdale)
- From a neighborhood child? (Attendees)
- Well we have them for all children – I guess it's probably an individual sponsor's interpretation of the rule. (D. Barrowdale)
- Not if they have 2 children that they are not being compensated for – I try not to make this a bigger deal. I try to follow the rule the way they instructed us to follow. I understand that some of you know other regulations that I'm not aware of or that you might take it higher. I just don't think it needs to be this hard. (D. Barrowdale)
- Any money that is coming into the State. (C. Reagan)

- Or it's going to come down to what's the best nutritional things because they're not being reimbursed a portion of every child that is there so I can understand that it's getting less nutritional foods than what they would get if they did get that. It's something that they should look at just like they did the enrollment forms where they could oversee that. I don't see why they can't go in and do the same thing. (P. Montgomery)
- Comment from Angela not heard...
- And we have Angela, I understand and I don't want to feel that I'm denying these people but you're right in a way it is denying them services because you're having to tell them you can serve this child but you can't be paid for them. Angela, I totally understand that but the Childcare Standards are what we are supposed to follow. (D. Barrowdale)
- But the Childcare Standards...
- You just don't have to sign that – If your house is DHS you don't have to sign that but I'm just saying if it's on there so – I asked for interpretation and Kenny gave it. (D. Barrowdale)
- Okay, one thing and I don't want to cut anybody off but we could be here for the next ten hours discussing this... I will see if I can get better clarification from DHS as far as the intent of what is written. Once I get that then it will clear up a lot of your questions. (K. Barnes)
- How many times have we asked for a meeting? How are we supposed to know how to respond? (K. O'Neill/ C. Reagan)

- Right. And that's what I was going to say – We ADE/DHS/DES be present for something like that and what we can do is mention that you folks would like to have a meeting to discuss this topic to get better clarification on it and they can tell you what they need to you that you could in turn tell them how you feel about it. So I'll do my part and I'll go ahead and mention it and say they like to meet and if it happens. I'm not going to put my foot in my mouth and say that it will but I will go on a limb and bring it up and see if that is something that we can make happen. (K. Barnes)
- That would sure make you look big Kenny. (P. Montgomery)
- Okay anything else – does anybody have any other comments that they would like to share on this compensation thing? Like I said I'll go ahead and bring it up and hopefully, Lourdes and Brad or whomever will be receptive to the idea to get together and put it all on the table to put this issue to rest one way or the other. (K. Barnes)
- Thank you – I'll try to get these minutes out by the end of the week. If you have any questions pertaining to what was discussed today that you might remember on the drive back to your office, email me or give me a call and we can mention it on the notes.

Meeting concluded at approximately **11:00 a.m.**

Next Advisory Council Meeting:

Tuesday, May 26, 2009 – 9:00A-12:00P Conference Room TBD